

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Implementation of Sections 309(j) and)	WT Docket No. <u>99-87</u>
337 of the Communications Act of 1934)	
as Amended)	
)	
Promotion of Spectrum Efficient)	RM-9332
Technologies on Certain Part 90)	
Frequencies)	
)	
Establishment of Public Service Radio)	
Pool in the Private Mobile)	
Frequencies Below 800 MHz)	

REPLY COMMENTS
OF
THE PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION, INC.

The Personal Communications Industry Association, Inc. ("PCIA"), through counsel, hereby submits its Reply Comments in response to the Comments filed regarding the Further Notice of Proposed Rule Making issued by the Commission in the above-captioned rule making proceeding.

I. REPLY COMMENTS

A. Mandatory Conversion In The Bands Below 800 MHz

For the most part, commenters support mandatory migration.¹ The primary objections to mandatory conversion relates to conversion in the bands above 470 MHz.² PCIA continues its

¹See, for example, the Comments of the Land Mobile Communications Council ("LMCC") and the Industrial Telecommunications Association ("ITA").

²See, for example, the Comments of Cinergy Corporation and the American Petroleum Institute ("API").

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opposition to narrowbanding at 800 MHz and urges the Commission to restrict the migration to the “Refarming” bands.³

The only remaining question for mandatory conversion below 800 MHz is the deadline, and whether that deadline should be different for urban and rural areas. Different commenters suggest different dates, and the lack of consensus on this issue means that the Commission will be forced to decide. However, no arguments in the record dissuaded PCIA from its objection to the use of different deadlines for rural and urban areas. Radio waves do not stop at an arbitrary border, and the massive intertwining of radio systems licensed in the 150 MHz and 450 MHz bands precludes any geographic demarcation that will be effective in the marketplace.

One suggestion in the proceeding, merits serious consideration by the Commission. Specifically, Motorola, Inc. and the American Mobile Telecommunications Association (“AMTA”) recommend that the Commission no longer accept “wideband” applications. PCIA concurs with this suggestion. Since traditional analog equipment is widely available for narrowband operation (and often the same equipment can now be used in either wideband or narrowband format), there is absolutely no reason why wideband applications should continue to be permitted for new applicants. Certainly, certain types of modifications (adding mobile units, small change in location) should not require narrowbanding, and wideband “equivalent efficiency” applications should be accepted, but there should be an immediate freeze on wideband applications for new systems.

³The Association of American Railroads (“AAR”) opposes a “forced conversion,” even below 800 MHz. However, AAR is working on a “comprehensive migration path plan” which proposes to utilize efficient digital technology. As discussed in PCIA’s initial Comments, this is exactly the type of effort which PCIA believes should be considered as “equivalent efficiency” and which would permit the user to retain its existing bandwidth authorization.

Motorola has requested certain protection parameters for data-only systems. Certainly, to the extent that applicants can find a frequency that will provide sufficient co-channel and adjacent channel clearance, the Commission should provide such systems the same protection as it provides centralized trunked systems. However, consideration of the merits of different protection parameters is outside the scope of this proceeding and should be considered only within the context of a separate rule making proceeding.

III. CONCLUSION

PCIA supports a mandatory conversion of wideband systems operating on frequencies below 800 MHz to narrowband operation by January 1, 2005. PCIA believes that such action is necessary to achieve spectrum efficiency in the band, which thus far has not been accomplished under the present rules. PCIA does not support mandatory narrowbanding in the 800 MHz band, however PCIA does support the limited conversion of existing, incumbent 900 MHz Business and Industrial Pool licenses to commercial operation.

WHEREFORE, the premises considered, it is respectfully requested that the Commission act in accordance with the views expressed herein.

Respectfully submitted,

PERSONAL COMMUNICATIONS
INDUSTRY ASSOCIATION

By: Rob Hoggarth, Senior Vice President
Government Relations

500 Montgomery Street, Suite 700
Alexandria, Virginia 22314
(703) 739-0300

OF COUNSEL:

Alan S. Tilles, Esquire
Jason Kerben, Esquire
Shulman, Rogers, Gandal, Pordy & Ecker, P.A.
11921 Rockville Pike, Third Floor
Rockville, Maryland 20852-2743
(301) 230-5200

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